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FM AMEMBASSY JAKARTA

TO RUEHC/SECSTATE WASHDC IMMEDIATE 0866

INFO RUEHGG/UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY

RUEHBY/AMEMBASSY CANBERRA 3357

RUEHNE/AMEMBASSY NEW DELHI 2473

RUEHUL/AMEMBASSY SEOUL 5185

RUEHKO/AMEMBASSY TOKYO 2795

RUEHWL/AMEMBASSY WELLINGTON 3304

RUEAIIA/CIA WASHDC

RHEHNSC/NSC WASHDC

RHHJJPI/USPACOM HONOLULU HI

C O N F I D E N T I A L JAKARTA 002193

SIPDIS

DEPT FOR P (S.MULL), EAP, EAP/MTS, EAP/MLS, AF, PM, IO,
IO/UNP
NSC FOR E.PHU

E.O. 12958: DECL: 12/02/2018

TAGS: PREL PHSA UNSC ID SO

SUBJECT: PIRACY RESOLUTION -- ONE ISSUE STILL OUTSTANDING

REF: JAKARTA 2188

Classified By: A/Pol/C Stanley Harsha, reasons 1.4 (b+d).

¶11. (C) SUMMARY: GOI officials believe the U.S.-proposed compromise language for the draft UNSC Resolution on anti-piracy operations off Somalia satisfy all but one of Indonesia's concerns. The GOI wants additional language clarifying that the resolution only applies to Somali waters and does not set a legal precedent for international counter-piracy operations in other regions. END SUMMARY.

¶12. (C) On December 2, Poloff again reviewed the draft UNSC resolution renewing authority under UNSCR 1816 to conduct counter-piracy operations off the Horn of Africa with Fikry Cassidy, Deputy Director for International Security Affairs at the Department of Foreign Affairs (DEPLU). Poloff asked whether DEPLU had completed its legal review of the draft resolution (reftel) and again urged Indonesia to support this important measure.

¶13. (C) Cassidy responded that the U.S.-proposed compromise language satisfied all but one of Indonesia's concerns. Specifically, he said that DEPLU lawyers insisted on the inclusion of additional language in operative paragraph 15 clarifying that the resolution only applied to Somali waters and did not set a legal precedent for international counter-piracy operations in other regions. Cassidy said the Indonesian mission in New York had been sent instructions to engage USUN and other missions regarding this matter.

¶14. (C) Poloff emphasized the intent of the resolution was to apply only to the waters around Somalia. He explained that Somalia was a unique case, as it had not had a functioning government since 1992. Because of this, the Somali case did not constitute a precedent for other parts of the world. Cassidy said Indonesia understood and accepted this point as a political matter. Nonetheless, the GOI remained concerned that if the text were not modified, the resolution could set a legal precedent for action in other regions.

HUME